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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/586,212	11/13/2007	Emmanuel Legrand	047578/314033	2681
826 7590 12/01/2009 ALSTON & BIRD LLP			EXAMINER	
	ERICA PLAZA	EDWARDS, NEWTON O		
	101 SOUTH TRYON STREET, SUITE 4000 CHARLOTTE, NC 28280-4000			PAPER NUMBER
			1794	
			MAIL DATE	DELIVERY MODE
			12/01/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)				
Office Action Summary	10/586,212	LEGRAND, EMMANUEL				
Office Action Summary	Examiner	Art Unit				
	N. EDWARDS	1794				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply						
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).						
Status						
1) Responsive to communication(s) filed on						
· · · · · · · · · · · · · · · · · · ·	action is non-final.					
3) Since this application is in condition for allowan		secution as to the merits is				
•	closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.					
Disposition of Claims						
4)⊠ Claim(s) <u>1-7 and 10-26</u> is/are pending in the application.						
4a) Of the above claim(s) is/are withdrawn from consideration.						
5) Claim(s) is/are allowed.						
6) Claim(s) is/are rejected.						
7) Claim(s) is/are objected to.	· · · · · · · · · · · · · · · · · · ·					
8) Claim(s) 1-7 and 10-26 are subject to restriction	n and/or election requirement					
O)ES Claim(s) 1-1- and 10-20 are subject to restriction	rrand/or election requirement.					
Application Papers						
9)☐ The specification is objected to by the Examine	. .					
10)☐ The drawing(s) filed on is/are: a)☐ accepted or b)☐ objected to by the Examiner.						
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).						
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).						
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.						
Priority under 35 U.S.C. § 119						
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of:						
1. Certified copies of the priority documents have been received.						
2. Certified copies of the priority documents have been received in Application No						
3. Copies of the certified copies of the priority documents have been received in this National Stage						
application from the International Bureau (PCT Rule 17.2(a)).						
* See the attached detailed Office action for a list of the certified copies not received.						
Attachment(s)						
1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413)						
2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date Notice of Informal Patent Application						
Paper No(s)/Mail Date 6) Other:						

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Art Unit: 1794

1. Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group I, claim(s) s 1-7,10-13,21-26, drawn to a method of making a cutting filament (264/210.2).

Group II, claim(s) 14-20, drawn to a cutting filament.

The special technical feature of group I is claim 1(b). According to your search report for PCT/FR04/00105 the STF is shown in EP 0867108, for example. Thus, there can be no Unity of Invention when the STF is shown in the prior art. Note that "capable of" in your claims in the US does not constitute a limitation, only the ability to so perform. Hence, Lack of unity is held by the Primary Examiner under PCT rule 13 and 37 CFR 1.475.

Any inquiry concerning this communication should be directed to Primary Examiner Edwards at telephone number (571)272-1521.

/N Edwards/ Primary Examiner Art Unit 1794